

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

6 August 2001

Pursuant to action at the 7 November 2000 Council meeting, the City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: Nancy Vaughan, excused by action of Council. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Tracy N. Peters, III , employee in the Parks and Recreation Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Councilmember Phillips moved that Councilmember Nancy Vaughan be excused from attendance at this meeting. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

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Speaking to the importance of recognizing the positive accomplishments of Greensboro's young citizens, Councilmember Johnson introduced Jasmine Hepburn who was present in the Chamber. Ms. Hepburn stated she had competed and won third place in the Miss North Carolina Pre-Teen Pageant and would represent Greensboro in the Miss America Pre-Teen Pageant later in the year.

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After Mayor Holliday stated that Item 20, appeal of nuisance violation at 6306 Ballinger Road by Max D. Ballinger, had been resolved and staff had requested that this item be deleted, Councilmember D. Vaughan moved to delete the item. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

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Anne Gregory of the Community Relations Division of the Greensboro Police Department, spoke briefly to the National Night Out activities scheduled in Greensboro and noted that over 90 communities had registered with the Police Department as participants. She encouraged citizens to participate in these important neighborhood events and advised updated information would be provided to Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an

ordinance annexing territory to the corporate limits property of Charles Stubblefield, located south of Holts Chapel Road—3.26 acres. He thereupon introduced so that these matters could be discussed together, an Ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning RS-7 Residential Single Family for property located south of Holts Chapel Road east of Shirley Lane.

C. Thomas Martin, Planning Department Director, presented a map to illustrate this property and the surrounding area; he advised the annexation and original zoning had received unanimous support by the Planning Board, Zoning Commission and the Planning Department Staff.

The Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Burroughs-White moved to close the public hearing on the annexation and zoning items. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of Council.

Mr. Martin provided the following staff recommendation:

Holts Chapel Road

The Planning Department recommends that this original zoning be approved.

RS-7 is the predominant zoning classification in this extended area.

At its June 20, 2001 meeting, the Greensboro Planning Board unanimously recommended in favor of this annexation.

This is the rear portion of a tract whose front portion along Holts Chapel Road is already inside the city limits.

Providing all city services to the tract covered by this application should be a routine matter.

Councilmember Burroughs-White moved adoption of the ordinance annexing territory to the corporate limits the property of Charles Stubblefield, located south of Holts Chapel Road—3.26 acres. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and Vaughan. Noes: None.

01-173 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY OF CHARLES STUBBLEFIELD, LOCATED SOUTH OF HOLTS CHAPEL ROAD – 3.26 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing city limits of the City of Greensboro (as of June 30, 2001) and the east line of Charles Stubblefield, said point being in the centerline of a stream and being located S 02° 59' 00" W 415.18 feet from an existing iron pipe in the margin of Holts Chapel Road (SR 3008); thence with the east line of Stubblefield the following courses and distances: S 02° 59' 00" W 73.09 feet to an existing iron pipe, S 84° 17' 14" E 208.48 feet to an existing iron pipe, S 03° 10' 30" W 250.58 feet to an existing iron pipe at Stubblefield's southeast corner; thence along Stubblefield's south line N 85° 04' 30" W 581.85 feet to an existing iron pipe at Stubblefield's southwest corner; thence along Stubblefield's west line N 03° 00' 00" E 198.70 feet to a point in the centerline of a stream, said point being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS along the centerline of said stream as it meanders the following courses and distances: N 89° 23' 06" E 38.18 feet, S 83° 19' 55" E 78.45 feet, N 84° 10' 34" E 60.15 feet, N 73° 01' 53" E 55.88 feet, N 45° 35' 34" E 52.20 feet, N 58° 59' 24" E 82.11 feet, N 85° 56' 41" E 42.61 feet to the point and place of BEGINNING, and containing approximately 3.26 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments, which may have been levied by the County, shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall

receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after October 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 8/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2002. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after October 31, 2001.

(Signed) Claudette Burroughs-White

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Councilmember D. Vaughan moved adoption of the ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning RS-7 Residential Single Family for property located south of Holts Chapel Road east of Shirley Lane. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips and D. Vaughan. Noes: None.

01-174 AMENDING OFFICIAL ZONING MAP

SOUTH OF HOLTS CHAPEL ROAD EAST OF SHIRLEY LANE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural to City Zoning RS-7 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the existing city limits of the City of Greensboro (as of June 30, 2001) and the east line of Charles Stubblefield, said point being in the centerline of a stream and being located S 02° 59' 00" W 415.18 feet from an existing iron pipe in the margin of Holts Chapel Road (SR 3008); thence with the east line of Stubblefield the following courses and distances: S 02° 59' 00" W 73.09 feet to an existing iron pipe, S 84° 17' 14" E 208.48 feet to an existing iron pipe, S 03° 10' 30" W 250.58 feet to an existing iron pipe at Stubblefield's southeast corner; thence along Stubblefield's south line N 85° 04' 30" W 581.85 feet to an existing iron pipe at Stubblefield's southwest corner; thence along Stubblefield's west line N 03° 00' 00" E 198.70 feet to a point in the centerline of a stream, said point being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS along the centerline of said stream as it meanders the following courses and distances: N 89° 23' 06" E 38.18 feet, S 83° 19' 55" E 78.45 feet, N 84° 10' 34" E 60.15 feet, N 73° 01' 53" E 55.88 feet, N 45° 35' 34" E 52.20 feet, N 58° 59' 24" E 82.11 feet, N 85° 56' 41" E 42.61 feet to the point and place of BEGINNING, and containing approximately 3.26 acres.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements on Horsepen Creek Road from 560' s/proposed Drawbridge Parkway to 500' n/proposed Drawbridge Parkway (East side only). The Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember D. Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council. Councilmember Jones thereupon moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and D. Vaughan. Noes: None.

H-216 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

HORSEPEN CREEK ROAD FROM 560' S/PROPOSED DRAWBRIDGE PARKWAY TO 500' N/PROPOSED DRAWBRIDGE PARKWAY (EAST SIDE ONLY)

WHEREAS, on the 15th day of June, 1999, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on the east side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

HORSEPEN CREEK ROAD

560' S/Proposed Drawbridge Parkway to 500' N/Proposed Drawbridge Parkway (East Side only)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 6:00 p.m., on the 6th day of August, 2001, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

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Councilmember Phillips removed Item 15 from the Consent Agenda.

Mayor Holliday requested a motion to approve the remaining resolutions, ordinances and the motion listed on the Consent Agenda. Councilmember Carmany moved adoption of the amended Consent Agenda. The motion was seconded by Councilmember D. Vaughan; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips and Vaughan. Noes: None.

154-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-17 WITH CENTRAL BUILDERS OF MEBANE FOR SIDEWALK REMOVAL AND REPLACEMENT IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for various sidewalk removal and replacement projects throughout the city;

WHEREAS, Central Builders of Mebane, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$157,565.26 as general contractor for Contract No. 2001-17, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Central Builders of Mebane is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 402-6002-01.6015 CBR 001.

(Signed) Sandy Carmany

(A tabulation of bids for sidewalk removal and replacement improvements project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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162-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-05 WITH MICHAEL'S BACKHOE, INC. FOR THE BRYAN PARK SOCCER COMPLEX SEWER SYSTEM IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Bryan Park Soccer Complex sewer system improvements project;

WHEREAS, Michael's Backhoe, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$316,044.00 as general contractor for Contract No. 2001-05, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Michael's Backhoe, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 101-5055-03.5627.

(Signed) Sandy Carmany

(A tabulation of bids for the Bryan Park Soccer Complex sewer system improvements project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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163-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-19 WITH ENVIRONMENTAL PIPELINE REHABILITATION, INC. FOR SANITARY SEWER REHABILITATION PROJECT "F" IMPROVEMENTS

WHEREAS, Contract No. 2001-19 with Environmental Pipeline Rehabilitation, Inc. provides for sanitary sewer rehabilitation Project "F" improvements;

WHEREAS, due to special conditions of the Contract, the City reserves the right to extend this Contract as a "Unit Price Contract" for a period of 12 months from the award date, thereby necessitating a change order in the contract in the amount of \$534,688.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Environmental Pipeline Rehabilitation, Inc. for the Sanitary Sewer Rehabilitation Project "F" Improvements is hereby authorized at a total cost of \$534,688.00, payment of said additional amount to be made from Account No. 503-7011-02.6017 (007).

(Signed) Sandy Carmany

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164-01 RESOLUTION ADOPTING REVISIONS TO POLICY CONCERNING PERCENTAGE OF PARTICIPATION BY THE CITY OF GREENSBORO AND THE DEVELOPER FOR CONSTRUCTION OF BOX CULVERTS AND BRIDGES IN NEW DEVELOPMENT

WHEREAS, on 31 July 1975 the City Council approved the policy concerning the percentage of participation by the City and the developer for construction of box culverts and bridges in new developments.

WHEREAS, there have been increasing requests by developers and engineers for the City to participate in the three sided "bottomless" concrete culvert, a structure that is accepted and used by NC Department of Transportation for stream crossings.

WHEREAS, there is a need to clarify that the City will only participate in culvert and bridge structures, where conventional reinforced concrete pipe is not feasible.

WHEREAS, there is a need to clarify that the City will require the roadway right-of-way from the culvert or bridge structure to an existing right-of-way be dedicated prior to city participation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the statement of Council policy which is attached hereto and made a part hereof and having been presented herewith this day is hereby in all respects approved; and said policy should become effective on and after 1 August 2001.

(Signed) Sandy Carmany

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165-01 RESOLUTION AUTHORIZING THE FILING AND EXECUTION, AS APPROPRIATE OF DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS GRANT APPLICATIONS, GRANT AGREEMENTS, ASSURANCES, CERTIFICATIONS AND OTHER SUCH DOCUMENTS AS APPROPRIATE PURSUANT TO THE RELEVANT SECTIONS OF GRANT APPLICATION

WHEREAS, the Department of Justice, Office of Justice Programs provides Federal funds to support emergency service organizations;

WHEREAS, the purpose of the funds is to provide grant monies to local agencies for training equipment purchases to enhance capabilities for response to Weapons of Mass Destruction incidents;

WHEREAS, it is required by the Department of Justice, Office of Justice Programs, that in connection in filing of an application for assistance, the City of Greensboro, as applicant, gives assurance that it will comply with sections of Assurances and Certifications and all administrative requirements which relate to the application and grants received; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF GREENSBORO:

1. That the City of Greensboro is authorized to file and execute Department of Justice, Office of Justice Programs Grant Agreements, Assurances & Certifications and other such documents as appropriate, on behalf of the City of Greensboro with the Department of Justice, Office of Justice Programs, to aid in the financing of equipment for emergency services as described therein.
2. That the City of Greensboro is authorized to furnish such additional information as the Department of Justice, Office of Justice Programs require in connection with such Grant Agreements, Assurances & Certifications and other such documents as appropriate.
3. That the City of Greensboro is authorized to execute grant agreements on behalf of the City of Greensboro with the Department of Justice, Office of Justice Programs to aid in financing of the purposes of such DOJ, OJP Grant Agreements, Assurances & Certifications and other such documents as appropriate.

(Signed) Sandy Carmany

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166-01 RESOLUTION APPROVING MULTI-FAMILY LOANS FOR 2824 LIBERTY ROAD, 3900 NASH STREET AND 1311 SOUTH EUGENE STREET

WHEREAS, as part of the 2001-2002 fiscal year budgeting process and upon recommendation from the Community Resource Board, Council set aside \$150,000 for multi family projects;

WHEREAS, after publication of a Notice of Funding Availability targeting the acquisition or construction of new transitional housing facilities, applications of three organizations were presented and approved by the Community Resource Board;

WHEREAS, Jericho House will acquire 2824 Liberty Road for use as a transitional housing facility and re-entry program site for mall ex-offenders;

WHEREAS, Christian Counseling and Wellness Group will acquire the house at 3900 Nash Street for use as a transitional housing facility and step down recovery program site for men in recovery from substance abuse;

WHEREAS, the Salvation Army will furnish transitional family apartments in the Royce and Jane Reynolds Center of Hope being constructed at 1311 South Eugene Street.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the funding for the above-reference projects is hereby approved and the City Manager is hereby authorized to execute the necessary documentation for this funding.

(Signed) Sandy Carmany

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01-175 ORDINANCE AMENDING THE FY 00-01 WAR MEMORIAL COLISEUM COMPLEX FUND BUDGET FOR AUDITORIUM CARPET REPLACEMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 00-01 Annual Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the War Memorial Coliseum Complex Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
521-7535-06.5621	Maint and Repair	\$58,300
521-7531-01.5279	Promotions	<u>120,000</u>
Total		\$178,300

and, that this increase be financed by increasing the following War Memorial Coliseum Complex Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
521-0000-00.9101	Transfer from Coliseum Fund	\$58,300
521-7531-01.7730	Admissions and Charges	<u>120,000</u>
Total		\$178,300

(Signed) Sandy Carmany

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01-176 ORDINANCE AMENDING THE FY 01-02 GREENSBORO TRANSIT AUTHORITY PLANNING AND GRANT FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the GTA Planning and Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4547-01.5413	Consultant Services	\$12,500
565-4547-01.6013	Buildings	<u>75,332</u>
TOTAL:		\$87,832

and, that this increase be financed by increasing the following Grant Project Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4547-01.7110	State Grant	\$43,915
565-4547-01.9564	Transfer from Transit	<u>43,917</u>
TOTAL:		\$87,832

(Signed) Sandy Carmany

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01-177 ORDINANCE AMENDING TRANSIT FUND AND TRANSIT PLANNING & GRANT FUND TO
TRANSFER APPROPRIATIONS OF EXPENDITURES AND REVENUES FOR FTA SECTION 5307
GRANT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1.

That the FY 00-01 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Planning and Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4547-01.5413	Consultant Services	\$50,000
565-4547-01.6013	Buildings	<u>301,327</u>
		\$351,327

and, that this increase be financed by increasing the following Planning and Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
565-4531-01.7100	Federal Grant	\$351,327

Section 2.

That the FY 00-01 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Transit Fund be decreased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
564-4531-01.5413	Consultant Services	\$50,000
564-4531-01.6013	Buildings	<u>301,327</u>
		\$351,327

and, that this decrease be financed by reducing the following Transit Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
564-4531-01.7100	Federal Grant	\$351,327

(Signed) Sandy Carmany

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Motion to approve minutes of regular meeting of July 17, 2001 and closed session of July 17, 2001 was
unanimously adopted.

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Mayor Holliday introduced an ordinance establishing in the amount of \$4,094,846 grant project budget for
fiscal year 2000 FTA Section 5309 Capital Assistance Program that had been removed from the Consent Agenda by
Councilmember Phillips.

After Councilmember Phillips spoke briefly to his personal concerns and opinions with regard to the Multi-
Modal Transportation Center and the use of public funds for that purpose, Councilmember Carmany moved adoption of
the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll
call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins and D. Vaughan. Noes: Phillips.

01-178 ORDINANCE ESTABLISHING GRANT PROJECT BUDGET FOR FISCAL YEAR 2000 FTA SECTION 5309 CAPITAL ASSISTANCE PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Grant Project budget for the FY 2000 FTA Section 5309 Capital Assistance Program be established for the life of the project as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
566-4513-01.6013	Building Improvements	\$4,094,846

And, that the grant project budget be financed by the following revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
566-4513-01.7000	Federal Grant	\$3,275,877
566-4513-01.7110	State Grant	409,484
566-4513-01.9564	Transfer From Transit Fund	<u>409,485</u>
Total		\$4,094,846

(Signed) Sandy Carmany

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Mayor Holliday stated that Council would now receive a report of findings from the 2001 Greensboro Citizens Survey.

The City Manager stated that this was the fifth in a series of professionally conducted opinion surveys and that this presentation was the report of findings of the 2001 Greensboro Citizens Survey.

Herman Kane of Kane, Parsons and Associates, used a power point presentation to provide an overview of the report and offered comparisons to findings of prior surveys. He spoke briefly to the number of adults who participated, the geographic distribution, and the respondent selection; he advised the survey had a margin of error of about 3.6 percentage points.

Mr. Kane provided an overview of the attitude of citizens to Greensboro and its population growth over the past five years, and reviewed the things citizens liked the best and least about Greensboro. He reviewed portions of the report that detailed the citizens rating of their own neighborhoods, opinions about better vs. worse changes in the neighborhood, dynamic of race relations, the perceived fairness of service delivery from the City, the rank order of services with the highest favorable/unfavorable ratings, and programs/services that received the highest incidences of recommended privatization.

Mr. Kane further referred to a portion of the report's findings with respect to citizens' opinion of the most important emphases for Greensboro's future, including funding, downtown revitalization, housing initiatives, perceptions with regard to neighborhood safety and police treatment, reactions to city fees and services, information about Coliseum events, and inter-city transportation.

After Council discussed with Mr. Kane various opinions and concerns with respect to the report's findings, he reiterated it would be Council's decision to determine how they wished to use the information. The City Manager stated the data would be useful for Council in setting future Council priorities.

(A copy of the power point presentation, the 2001 Greensboro Citizens Survey Report of Findings, and other information is filed in Exhibit Drawer N, Exhibit Number 25, which is hereby referred to and made a part of these minutes.)

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Mayor Holliday introduced the following resolution which was read by title and summarized by the City Attorney:

**RESOLUTION APPROVING THE APPOINTMENT OF SUBSTITUTE REMARKETING
AGENT FOR CERTAIN OUTSTANDING VARIABLE RATE CERTIFICATES OF
PARTICIPATION ISSUED ON BEHALF OF THE CITY OF GREENSBORO**

WHEREAS, pursuant to the request of the City of Greensboro, North Carolina (the "City"), Greensboro Center City Corporation (the "Corporation") executed and delivered its Certificates of Participation (1998 Municipal Property Acquisition Project) (the "*1998 Certificates*") evidencing proportionate undivided interests in Installment Payments pursuant to an Installment Financing Agreement dated as of June 1, 1998 between the Corporation and the City under a Trust Agreement dated as of June 1, 1998 between the Corporation and First-Citizens Bank & Trust Company, as trustee;

WHEREAS, the Corporation has executed and delivered its Certificates of Participation (2000 Equipment Acquisition Project) (the "*2000 Certificates*") evidencing proportionate undivided interests in Installment Payments pursuant to an Installment Financing Agreement dated as of June 1, 2000 between the Corporation and the City under a Trust Agreement dated as of June 1, 2000 between the Corporation and First-Citizens Bank & Trust Company, as trustee;

WHEREAS, the City has determined that it is in its best interest to replace the remarketing agent and tender agent for the 1998 Certificates and to replace the remarketing agent for the 2000 Certificates;

WHEREAS, the City has determined to appoint Legg Mason Wood Walker, Incorporated ("*Legg Mason*") as the substitute remarketing agent and tender agent for the 1998 Certificates and as substitute remarketing agent for the 2000 Certificates;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The City hereby approves the removal of Wachovia Bank, N.A. as remarketing agent and tender agent for the 1998 Certificates and as remarketing agent for the 2000 Certificates and approves the appointment of Legg Mason as substitute remarketing agent and tender agent for the 1998 Certificates and as substitute remarketing agent for the 2000 Certificates. The City Manager and Finance Director of the City are hereby authorized and directed to take such actions and to execute and deliver any such notices, documents, certificates, agreements or other instruments as they, with the advice of counsel, may deem necessary or appropriate to effect the removal and substitution of the remarketing agent and tender agent for the 1998 Certificates and the removal and substitution of the remarketing agent for the 2000 Certificates.

Section 2. If any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 3. All motions, orders, resolutions and parts thereof, in conflict herewith are hereby repealed.

Section 4. This Resolution will take effect immediately on its adoption.

The City Attorney then announced that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember D. Vaughan, seconded by Councilmember Jones, the foregoing resolution entitled "RESOLUTION APPROVING THE APPOINTMENT OF SUBSTITUTE REMARKETING AGENT FOR CERTAIN OUTSTANDING VARIABLE RATE CERTIFICATES OF PARTICIPATION ISSUED ON BEHALF OF THE CITY OF GREENSBORO" was adopted by roll call vote. The vote upon adoption of said resolution was:

Ayes: Councilmembers Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips and D. Vaughan.

Noes: None.

The Mayor then announced that the resolution entitled “RESOLUTION APPROVING THE APPOINTMENT OF SUBSTITUTE REMARKETING AGENT FOR CERTAIN OUTSTANDING VARIABLE RATE CERTIFICATES OF PARTICIPATION ISSUED ON BEHALF OF THE CITY OF GREENSBORO” had been adopted by a vote of 8 to 0.

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Thereupon Mayor Holliday introduced the following resolution which was read by title and summarized by the City Attorney:

RESOLUTION APPROVING THE APPOINTMENT OF SUBSTITUTE
REMARKETING AGENT FOR CERTAIN OUTSTANDING VARIABLE RATE
BONDS AND CERTIFICATES OF PARTICIPATION ISSUED BY OR ON BEHALF
OF THE CITY OF GREENSBORO

WHEREAS, pursuant to the request of the City of Greensboro, North Carolina (the “City”), Greensboro Center City Corporation (the “Corporation”) executed and delivered its Taxable Certificates of Participation (1995B Greensboro Coliseum Complex Improvement Project) (the “1995B Certificates”), evidencing proportionate undivided interests in Installment Payments pursuant to a First Amended and Restated Installment Purchase Agreement, dated as of March 1, 1995 (the “First Amended and Restated Installment Purchase Agreement”), between the Corporation and the City, under a First Amended and Restated Trust Agreement, dated as of March 1, 1995 (the “First Amended and Restated Trust Agreement”), between the Corporation and First-Citizens Bank & Trust Company, as trustee (the “COPs Trustee”), as amended and supplemented by a Second Supplemental Trust Agreement, dated as of March 1, 1995, between the Corporation and the COPs Trustee; and

WHEREAS, pursuant to the request of the City, the Corporation has also executed and delivered its Taxable Refunding Certificates of Participation (Greensboro Coliseum Complex), Series 1999B (the “1999B Certificates”), evidencing proportionate undivided interests in Installment Payments pursuant to the First Amended and Restated Installment Purchase Agreement, as supplemented by a Fifth Supplemental Installment Purchase Agreement, dated as of September 1, 1999, between the Corporation and the City, under the First Amended and Restated Trust Agreement, as supplemented by a Fifth Supplemental Trust Agreement, dated as of September 1, 1999, between the Corporation and the COPs Trustee; and

WHEREAS, on October 27, 1994, the City issued its \$13,600,000 General Obligation Public Improvement Bonds, Series 1994B and its \$12,825,000 General Obligation Public Improvement Bonds, Series 1994C – Taxable (collectively, the “1994 G.O. Bonds”); and

WHEREAS, on March 3, 1998, the City issued its \$5,700,000 General Obligation Public Improvement Bonds, Series 1998 and its \$6,300,000 General Obligation Housing and Redevelopment Bonds, Series 1998 – Taxable (collectively, the “1998 G.O. Bonds”); and

WHEREAS, pursuant to a Trust Agreement, dated as of June 1, 1995, between the City and First-Citizens Bank & Trust Company, as trustee (the “Revenue Bond Trustee”), as supplemented by a Fourth Supplemental Trust Agreement, dated as of May 15, 1998, between the City and the Revenue Bond Trustee, the City issued its \$10,000,000 Combined Enterprise System Revenue Bonds, Series 1998B, dated June 9, 1998 (the “1998 Revenue Bonds”); and

WHEREAS, each of the 1995B Certificates, the 1999B Certificates, the 1994 G.O. Bonds, the 1998 G.O. Bonds and the 1998B Revenue Bonds (collectively, the “Variable Rate Obligations”) bears interest at a variable interest rate, and Salomon Smith Barney Inc. (“SSB”) currently serves as Remarketing Agent for the Variable Rate Obligations; and

WHEREAS, SSB has determined to cease its activities as Remarketing Agent for the Variable Rate Obligation, and the City has determined to appoint Banc of America Securities LLC (“BAS”) as the remarketing agent for the Variable Rate Obligations; now, therefore,

BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. BAS is hereby appointed as remarketing agent for the Variable Rate Obligations. The City Manager and the Finance Director of the City are hereby authorized and directed to take such actions and to execute and deliver any such notices, documents, certificates, agreements, including new remarketing agreements with terms substantially similar to the terms governing the agreements between the City and SSB, or other instruments as he, with the advice of counsel, may deem necessary or appropriate to effect the substitution of BAS as the remarketing agent for the Variable Rate Obligations.

Section 2. If any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 3. All motions, orders, resolutions or parts thereof in conflict with this Resolution are hereby repealed.

Section 4. This Resolution will take effect immediately on its adoption.

The City Attorney then announced that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember D. Vaughan, seconded by Councilmember Jones, the resolution entitled "RESOLUTION APPROVING THE APPOINTMENT OF SUBSTITUTE REMARKETING AGENT FOR CERTAIN OUTSTANDING VARIABLE RATE BONDS AND CERTIFICATES OF PARTICIPATION ISSUED BY OR ON BEHALF OF THE CITY OF GREENSBORO" was adopted by roll call vote. The vote upon the adoption of said resolution was:

Ayes: Councilmembers Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and D. Vaughan.

Noes: None.

The Mayor then announced that the resolution entitled: "RESOLUTION APPROVING THE APPOINTMENT OF SUBSTITUTE REMARKETING AGENT FOR CERTAIN OUTSTANDING VARIABLE RATE BONDS AND CERTIFICATES OF PARTICIPATION ISSUED BY OR ON BEHALF OF THE CITY OF GREENSBORO" had been adopted by a vote of 8 to 0.

Thereupon Mayor Holliday introduced the following resolution which was read by title and summarized by the City Attorney:

**RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ENTER INTO
AGREEMENTS FOR THE MANAGEMENT OF INTEREST RATE RISK**

WHEREAS, a significant portion of the indebtedness issued by or on behalf of the City, including the City's outstanding \$13,600,000 General Obligation Public Improvement Bonds, Series 1994B, \$12,985,000 General Obligation Public Improvement Bonds, Series 1994C – Taxable, \$5,700,000 General Obligation Public Improvement Bonds, Series 1998, \$6,300,000 General Obligation Housing and Redevelopment Bonds, Series 1998 – Taxable, \$10,000,000 Combined Enterprise System Revenue Bonds, Series 1998B, and \$20,190,000 Combined Enterprise System Revenue Bonds, Series 2001B, and the \$1,100,000 Taxable Certificates of Participation (1995B Greensboro Coliseum Complex Improvement Project), \$16,750,000 Taxable Refunding Certificates of Participation (Greensboro Coliseum Complex), Series 1999B, \$10,000,000 Certificates of Participation (1998 Municipal Property Acquisition Project) and \$7,000,000 Certificates of Participation (2000 Equipment Acquisition Project), executed and delivered by Greensboro Center City Corporation (collectively, the "Outstanding Variable Rate Obligations"), is variable rate indebtedness; and

WHEREAS, the City may, in the future, determine to issue additional variable rate indebtedness (the "Future Variable Rate Obligations"); and

WHEREAS, the City Council deems it advisable to provide for the management of the interest rate risk that is attendant on all variable rate indebtedness; now, therefore,

BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. The Finance Director of the City is hereby authorized to negotiate and execute, on behalf of the City, one or more agreements for the management of interest rate risk with respect to the Outstanding Variable Rate Obligations and any Future Variable Rate Obligations, including, without limiting the generality of the foregoing, interest rate swaps, caps or collars or any combination thereof.

Section 2. If any section, phrase or provision of this Resolution shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 3. All motions, orders, resolutions or parts thereof in conflict with this Resolution are hereby repealed.

Section 4. This Resolution will take effect immediately upon its adoption.

The City Attorney then announced that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember D. Vaughan, seconded by Councilmember Jones, the resolution entitled "RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF INTEREST RATE RISK" was adopted by roll call vote. The vote upon the adoption of said resolution was:

Ayes: Councilmembers Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and D. Vaughan.

Noes: None.

The Mayor then announced that the resolution entitled: "RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ENTER INTO AGREEMENTS FOR THE MANAGEMENT OF INTEREST RATE RISK" had been adopted by a vote of 8 to 0.

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Mayor Holliday introduced an ordinance amending the FY 01-02 Community Development Block Grant Fund Budget for Section 108 Richardson and Willow Oaks Projects.

After brief comments by the City Manager, Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, and D. Vaughan. Noes: None.

01-179 ORDINANCE AMENDING THE FY 01-02 COMMUNITY DEVELOPMENT BLOCK GRANT FUND BUDGET FOR SECTION 108 RICHARDSON AND WILLOW OAKS PROJECTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 01-02 Community Development Block Grant Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Community Development Block Grant Section 108 Loan Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
212-1081-01.5281	Loan Handling Service Fees	\$110,500
212-1081-03.5282	Loans – L. Richardson Hospital (\$150,000) and Richardson Village (\$725,000)	\$875,000
212-1081-02.5288	Willow Oaks - Acquisition	\$3,717,450

212-1081-02.5284	Willow Oaks - Relocation	\$1,511,000
212-1081-02.5426	Willow Oaks - Demolition	\$667,000
212-1081-02.5285	Willow Oaks - Disposition	\$287,000
212-1081.02.6059	Willow Oaks - Other Capital Improvements	\$293,050

Total		\$7,461,000
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and, that this increase be financed by increasing the following Community Development Block Grant Fund account:

212-1081-01.9003	Federal Loan Program	\$7,461,000
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Total		\$7,461,000
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(Signed) Yvonne J. Johnson

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After the Mayor introduced a resolution authorizing temporary encroachment with Triad Stage, Inc., the City Manager provided a brief explanation.

Richard Whittington, residing at 617 North Mendenhall Street, provided details with regard to the Destination Downtown event sponsored annually by Triad Stage, Inc. , and requested the Council to approve the temporary encroachment to allow the balloon arch for this event.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips and D. Vaughan. Noes: None.

167-01 RESOLUTION AUTHORIZING TEMPORARY ENCROACHMENT WITH TRIAD STAGE, INC.

WHEREAS, Triad Stage, Inc. has requested that the City permit a temporary easement to erect a balloon arch just north of the Norfolk Southern Railroad track where it crosses South Elm Street from 2:00 p.m. to 9:00 p.m. on August 23, 2001 in collaboration with the Downtown Greensboro, Inc. and Action Greensboro street celebration;

WHEREAS, they have confirmed that the street will not be blocked to vehicular traffic while the arch is in place;

WHEREAS, Triad Stage, Inc. will indemnify the City from any claim or damages that may occur do to the balloon arch being located in said street.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a temporary encroachment easement for a balloon arch just north of the Norfolk Southern Railroad track where it crosses South Elm Street from 2:00 p.m. to 9:00 p.m. on August 23, 2001 is hereby granted.

(Signed) Yvonne J. Johnson

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Mayor Holliday introduced a resolution in support of the League of Municipalities position on the State reimbursement cut provision. He spoke briefly to Council's awareness of an option to eliminate the reimbursements and substitute the local option a sales tax.

The City Manager spoke to the importance of the current State municipal reimbursements to Greensboro and other Triad cities and to the fact that the General Assembly may eliminate the current reimbursements and incorporate an increased sales tax provision in proposed legislation to address the State budget shortfall in its 2001 Session. He

further stated that because the proposed sales tax provision would be controlled by the County Governing Bodies, the City supported an additional local option sales tax so long as the legislation also included a hold-harmless provision for all cities and towns which guaranteed municipalities receipt of 105% of current reimbursements without any contingencies and guaranteed restoration of municipal reimbursement funds should counties fail to enact an increased sales tax. The City Manager cautioned that if Greensboro did not receive reimbursements or revenue from the proposed sales tax provision, the City would face severe budget cuts that could eliminate funds to all outside agencies.

After additional discussion, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips and D. Vaughan. Noes: None.

168-01 RESOLUTION IN SUPPORT OF THE LEAGUE OF MUNICIPALITIES POSITION ON THE STATE REIMBURSEMENT CUT PROVISION

WHEREAS, the General Assembly is in the process of addressing the State budget shortfall in its 2001 Session and may eliminate the current municipal reimbursements and incorporate an increased sales tax provision in proposed legislation;

WHEREAS, the North Carolina League of Municipalities supports the local sales tax provided that a replacement revenue stream be in place prior to the elimination of the current reimbursement payment;

WHEREAS, current legislative proposals provide that counties have the authority to raise sales tax and, should County Commissioners fail to raise sales tax, municipalities could be harmed deeply;

WHEREAS, the City supports an additional local option sales tax so long as the legislation also includes a hold-harmless provision for all cities and towns which guarantees municipalities receipt of 105% of current reimbursements without any contingencies and guaranteed restoration of municipal reimbursement funds should counties fail to enact an increased sales tax.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Council of the City of Greensboro supports the North Carolina League of Municipalities position on the reimbursement cuts with the provisions noted and outlined above.

(Signed) Claudette Burroughs-White

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Dorothy Brown, residing at 603 Julian Street; Antonio Stanton, residing at 807 Douglas Street; Tora and Wandisa Horne, residing at 814 Douglas Street; Tracy Sanders, residing at 812 Douglas Street; and Teresa Shaw, residing at 921 Martin Street; spoke to problems and personal experiences related to Douglas Park and the surrounding area; i.e., shootings, drug-related activities, prostitution, etc. They requested Council to use City resources to address this criminal activity so children could again play safely in the Park and suggested a number of actions they believed would be effective; i.e., additional lighting in and around Douglas Park, installation of cameras in the Park, increased Police presence, additional code enforcement, Community Watch and other safety programs, and changes in the Judicial process.

After Council discussed various opinions and concerns with respect to Douglas Park and the surrounding areas, some members of Council asked the Manager and City Staff to implement solutions to problems in this area and report back to Council at the August 21 meeting.

Police Chief Robert White advised that additional neighborhood meetings would be held with the residents to address concerns and develop strategies; he stated he would provide a report of the results of the meetings. Chief White also stated that he believed other City departments should be involved in addressing this area's concerns.

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The Mayor declared a recess at 8:05 p.m.

The Council re-convened at 8:19 p.m. with all members of Council present, except Councilmember N. Vaughan who was excused earlier in the meeting.

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After the Mayor noted that a number of board/commission reappointments/appointments should be addressed by Council, Council appeared to support a blanket motion to reappoint all eligible members who wished to serve another term, with the exception of the positions on the Board of Adjustment and the Community Resource Board. Councilmember Carmany moved to reappoint the following members to the respective boards and commissions: Gregory Rachal--Electrical Examiners Board, this term will expire 8-15-04; Julie Davenport, Patrick Deaton, Stephen Freyaldenhoven, and Robert Lauver--Historic Preservation Commission; these terms will expire 8-15-04; Randall Kaplan, Sue Mengert, and John Patterson--Human Relations Commission; these terms will expire 8-15-04; Robert Cone, Elizabeth Stauffer, and Patricia Trice--Library Board; these terms will expire 8-15-04; Cheryl Collins, Parks and Recreation Commission; this term will expire 8-15-04; Jane Walker Payne--Transit Authority; this term will expire 8-15-04; Alfreda McCauley, Catherine McGibbony, Gloria Rankin, Zanzella Savoy--Commission on the Status of Women; these terms will expire 8-15-04; and Maureen McDonnell and Janet Wright--Zoning Commission; these terms will expire 8-15-04. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

Council discussed the intent to address additional appointments in the near future.

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Council discussed the groundbreaking for Randleman Dam, the dedication of the Multi-Modal Transportation Center, the August 23 District Three Council meeting and other events of interest. Council briefly discussed the District Three Council meeting scheduled for 6:00 p.m. on 23 August 01 at the Natural Science Center.

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After Councilmember Burroughs-White mentioned the death of Joseph Mitchell, Councilmember Jones requested the City Attorney to prepare a resolution honoring his memory and advised he would provide information.

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Councilmember Carmany moved that Donnie Hicks and J. C. Trollinger be appointed to serve terms on the Plumbing Examining Board; Mr. Hicks term will expire 15 August 2003 and Mr. Trollinger's term will expire 15 August 02. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

Councilmember Carmany moved that Bill Schneider be appointed to fill the position on the Zoning Commission formerly held by Peter Kauber; this term will expire 15 August 04. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

Councilmember Carmany moved that James P. McIntyre be appointed to serve a term on the Planning Board in the position formerly held by Scott Edelman; this term will expire 15 August 2004. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

Councilmember Perkins moved that Anne S. Bowers be appointed to serve a term on the Historic Preservation Commission in the position formerly held by Mary Eubanks; this term will expire 15 August 03. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Perkins added the following names to the boards/commissions data bank for consideration for future service in the designated areas: Worth Holleman, War Memorial Commission; David Craft, Community Resource Board; and Kevin Green, no specific area.

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Mayor Holliday welcomed Drew Ruble, City Beat reporter for the Rhino Times, to the Council meeting.

Speaking to the concerns of Bob Isner, developer in the Southside Area, regarding his development at the corner of Martin Luther King Jr. Drive and Gorrell Street and the condition of properties across from this development, Mayor Holliday advised City staff was working to address these concerns.

Mayor Holliday spoke to a number of events of interest to Council and the community.

After brief discussion with respect to the desire to move forward with appointments to the Advisory Commission on Trees and the specific requirements for those positions, Councilmember Johnson moved that Charles Fold, Gary Kane, Emilie Sandin and Ron Morris be appointed to serve terms on the Commission. Councilmember Perkins stated he believed Mr. Kane's residential address had changed and requested that Council approve the appointment of Jack Sharpe to fill that position if Mr. Kane no longer resided inside the City. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of Council. It was determined after the meeting that Mr. Kane resides inside the City Limits. After further discussion, it appeared to be the consensus of Council that City staff would use a lottery to establish staggered one, two and three year terms for all members of the Commission.

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The City Manager advised that Council had not funded the wildlife center as incorrectly reported in a recent newspaper article.

City Manager Kitchen also advised that staff was working on Council's charge to address Solid Waste Disposal Options for the September 11 Special Council Meeting. He spoke to the process involved which included the hiring of outside experts to provide certain information within this short timeframe.

After the Manager noted a neighborhood meeting was scheduled to discuss the installation of a guardrail on a portion of Elm Street near the lake, Council discussed this matter at length. The Manager advised that he believed it was the opinion of professional engineers that this guardrail was needed. After discussion with the City Attorney, Councilmember Perkins requested the staff to determine if the guardrail was necessary to protect the public and to provide information and directions to Council regarding the City's legal obligation with regard to this matter.

The Manager requested that members of Council who were interested in attending the North Carolina League of Municipalities' meeting in October should advise the City Clerk's staff.

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Councilmember Jones moved that the City Council adjourn. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 9:03 P.M.

JUANITA F. COOPER
CITY CLERK

KEITH A. HOLLIDAY
MAYOR
